

PATENT

#6
7-24-98
PC

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: W.Watkins III
BAKKER, ET AL.)
Serial No.: 08/977,374) Art Unit: 1772
Filed: November 24, 1997)
For: DEVICE FOR HEAT)
SHRINKING FILM ONTO AN)
OPEN-TOPPED CONTAINER)
Date of Last Office Action)
May 5, 1998)
Attorney Docket No.:) Cleveland, Ohio 44114
PZN 2 017) June 30, 1998

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ELECTION AND RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This communication is responsive to the restriction requirement under 35 USC §121 mailed May 5, 1998. Included herewith is a petition for a one-month extension of time in which to respond.

Restriction

The Examiner has identified two distinct inventions in the present applications claims. These inventions are set forth by the Examiner as:

Group I. Claims 1-9, 21-23 and 26, drawn to a device for heat shrinking a cover, classified in class 53, subclass 442.

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on June 30, 1998.

By:

Mary Ann Temesvari
Mary Ann Temesvari

Group II. Claims 36-42, drawn to a cover for sealing a top, classified in class 428, subclass 195.

The Examiner provides as his reason for restriction that the inventions of Group I and Group II are related as subcombinations disclosed as useable together in a single combination. As a basis for showing separate utility, the Examiner states that the invention of Group II has a separate utility as a bottom sheet for a diaper or a wrap for a pallet.

Election

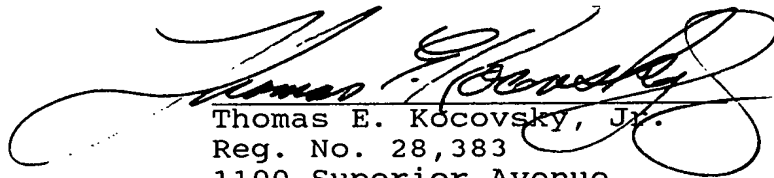
In order to be fully responsive to the restriction requirement, Applicants hereby elect the invention of Group II, claims 36-42, drawn to a cover for sealing an open-topped container (claim 36) and a roll of heat-shrinkable film for forming such covers (claim 41). The election is made without traverse.

Conclusion

Applicants believe the above election to be fully responsive to the restriction requirement. Early examination and notification of allowability is earnestly solicited.

Respectfully submitted,

FAY, SHARPE, BEALL,
FAGAN, MINNICH & MCKEE



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